

Lord *Beilhaven's*
SPEECH
IN
PARLIAMENT,

The Second Day of November 1706.

ON THE
Subject-Matter of an **UNION**
betwixt the two Kingdoms of
SCOTLAND and ENGLAND.



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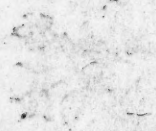
THE
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OF THE

UNITED STATES

ARMY



The Lord Beilhaven's **S P E E C H** in
Parliament, on the Subject-Matter
of an **UNION** *betwixt the two*
Kingdoms of **SCOTLAND** *and*
ENGLAND,

My LORD CHANCELLOR,



WHEN I consider this Affair of an **UNION** betwixt the Two Nations, as it is express'd in the several *Articles* thereof, and now the Subject of our Deliberation at this time; I find my Mind crowded with Variety of very Melancholy Thoughts, and I think it my Duty to disburden my self of some of them, by laying them before, and exposing them to the serious Consideration of this Honourable House.

I think, I see a *Free and Independent Kingdom* delivering up That, which all the World hath been Fighting for, since the days of *Nimrod*; yea, That for which most of all the Empires, Kingdoms, States, Principalities and Dukedoms of *Europe*, are at this very time engaged in the most Bloody and Cruel Wars that ever were, *to wit*, A Power to manage their own Affairs, by themselves, without the Assistance and Counsel of any other.

I think I see a *National Church*, founded upon a Rock, secured by a *Claim of Right*, hedged and fenced about by the strictest and pointedest Legal Sanction that Sovereignty could contrive, voluntarily descending into a Plain, upon an equal Level with *Jews, Papists, Socinians, Arminians, Anabaptists*, and other Sectaries, &c.

I think I see the *Noble and Honourable Peerage of Scotland*, whose Valiant Predecessors Led Armies against their Enemies upon their own proper Charges and Expences, now divested of their Followers and Vassallages, and put upon such an equal Foot with their Vassals, that I think I see a petty *English* Excise-man receive more Homage and Respect, than what was paid formerly to their *quondam Mackallamores*.

I think I see the *present Peers of Scotland*, whose Noble Ancestors Conquered Provinces, Over-run Countries, reduc'd and subjected Towns and fortify'd Places, exacted Tribute through the greatest part of *England*, now walking in the Court of Requests like so many *English* Attornies, laying aside their Walking-Swords when in Company with the *English* Peers, lest their Self-defence should be found Murder.

I think I see the *Honourable Estates of Barons*, the bold Asserters of the Nation's Rights and Liberties in the worst of Times, now setting a Watch upon their Lips, and a Guard upon their Tongues, lest they be found guilty of *Scandalum magnatum*.

I think I see the *Royal State of Borrowers* walking their desolate Streets, hanging down their Heads under Disappointments; Wormed out of all the Branches of their old Trade, uncertain what hand to turn to, necessitate to become Apprentices to their Unkind Neighbours; and yet after all, finding their Trade so fortified by Companies, and secured

red by Prescriptions, that they despair of any Success therein.

I think I see *our Learned Judges* laying aside the Practiques and Decisions, studying the Common Law of *England*, gravelled with *Certioraries*, *Nisi prius's*, Writs of Error, Verdicts indovar, *Ejectione firma*, Injunctions, Demurrs, &c. and frightened with Appeals and Avocations, because of the new Regulations and Rectifications they may meet with.

I think I see *the Valiant and Gallant Soldiery* either sent to learn the Plantation-Trade Abroad; or at Home Petitioning, for a small Subsistence as the Reward of their Honourable Exploits, while their old Cores are broken, the common Soldiers left to beg, and the youngest *English* Cores kept standing.

I think I see *the honest industrious Trades-man* loaded with new Taxes and Impositions, disappointed of the Epuivalents, drinking Water in place of Ale, eating his saltless Pottage, Petitioning for Encouragment to his Manufacturies, and Answered by Counter-petitions.

In short, I think I see *the Laborious Plew-man*, with his Corns spoiling upon his Hands, for want of Sale, Cursing the Day of his Birth, dreading the Expençe of his Burial, and uncertain whether to Marry or do worse.

I think I see the Incurable Difficulties of the *Landed-men*, fettered under the Golden Chain of Equivalents, their pretty Daughters Petitioning for want of Husbands, and their Sons for want of Employments.

I think I see *our Mariners* delivering up their Ships to their *Dutch* Partners; and what through Presses and Necessity, yearning their Bread as Underlings in the Royal *English* Navy.

But

But above all, *My Lord*, I think I see our *Ancient Mother CALEDONIA*, like *Cæsar* sitting in the midst of our Senate, Rufully looking round about Her, Covering Her self with Her Royal Garment, attending the Fatal Blow, and breathing out Her last with a *Et tu quoque mi fili Squadrone*.

Are not these, *My Lord*, very afflicting Thoughts? And yet they are but the least Part suggested to me by these Dishonourable Articles. Should not the Consideration of these Things vivifie these *dry Bones* of ours? Should not the Memory of our Noble Predecessors *Valour and Constancy*, rouse up drooping Spirits? Are our Noble Predecessors Souls got so far into the *English Cabbage-Stock and Colliflowers*, that we should shew the least Inclination that way? Are our Eyes so Blinded? Are our Ears so Deafned? Are our Hearts so Hardned? Are our Tongues so Flattered? Are our Hands so Fettered, *That in this our Day*, I say *my Lord*, *That in this our Day*, we should not mind the things, that concern the very Being, and Well-being of our *Ancient Kingdom*, before they be hid from our Eyes!

No, *My Lord*, GOD forbid: *Man's Extremity is GOD's Opportunity*: He is a present Help in time of Need, and a Deliverer, and that right early. Some unforeseen Providence will fall out, that may cast the Balance. Some *Joseph* or other will say, *Why do you strive together, since you are Brethren?* None can Destroy *Scotland*, save *Scotland's* self; hold your Hands from the Pen, you are Secure. Some *Judah* or other will say, *Let not our Hands be upon the Lad, He is our Brother*. There will be a *JEHOVAH-JIREH*, and some *Ram* will be caught in the Thicket, when the bloody Knife is at our Mother's Throat. Let us up then, *My Lord*, and let our Noble Patriots behave themselves like Men, and *We know not how soon a Blessing may come*.

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My Lord, I wish from my Heart, that this my Vision prove not as true, as my Reasons for it are probable; I design not at this time to enter into the Merits of any one particular Article; I intend this Discourse, as an Introduction to what I may afterwards say upon the whole Debate, as it falls in before this Honourable House; and therefore, in the further Prosecution of what I have to say, I shall insist upon some few Particulars, very necessary to be understood, before we enter into the Detail of so important a Matter.

I shall therefore in the *first place*, endeavour to Encourage a free and full Deliberation, without Animosities and Heats; in the *next place*, I shall endeavour to make an Enquiry into the Nature and Source of the unnatural and dangerous Divisions, that are now on Foot within this Isle, with some Motives, shewing, That it is our Interest to lay them aside at this time. *Then* I shall enquire into the Reasons which have induced the Two Nations to enter into a *Treaty of Union* at this time, with some Considerations and Meditations, with Relation to the Behaviour of the Lords Commissioners of the Two Kingdoms, in the Management of this great Concern. And *Lastly*, I shall propose a Method, by which we shall most distinctly and without Confusion, go through the several Articles of this Treaty, without unnecessary Repetitions or Loss of Time. And all this with all Deference, and under the Correction of this Honourable House.

My Lord Chancellor, The greatest Honour that was done unto a *Roman*, was to allow him the Glory of a Triumph: The greatest and most dishonourable Punishment was that of *Paricide*. He that was guilty of *Paricide* was beaten with Rods upon his naked Body, till the Blood gusht out
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of all the Veins of his Body ; then he was sowed up in a Lathern Sack, called a *Culeus* ; With a Cock, a Viper, and an Ape, and thrown headlong into the Sea.

My Lord, Patricide is a greater Crime than Parricide, all the World over.

In a Triumph, *My Lord*, when the Conqueror was riding in his Triumphal Chariot, Crowned with Lawrels, Adorned with Trophies, and Applauded with *Huzzas*'s, there was a *Monitor* appointed to stand behind him, to warn, *Not to be High-minded, nor puffed up with overweening Thoughts of himself* ; and to his Chariot were tied a Whip and a Bell, to mind him, *That for all his Glory and Grandeur, he was accountable to the People, for his Administration, and would be punished as other Men, if found guilty.*

The greatest Honour amongst us, *My Lord*, is to represent the Sovereign's Sacred Person in Parliament ; and in one Particular it appears to be greater than that of a Triumph ; because the whole Legislative Power seems to be wholly intrusted with him : If he gave the Royal Assent to an Act of the Estates, it becomes a Law Obligatory upon the Subject, tho' contrary or without any Instructions from the Sovereign : If he refuse the Royal Assent to a Vote in Parliament, it cannot be a Law, tho' he has the Sovereign's Particular and Positive Instructions for it.

His Grace the Duke of *Queensberry*, who now Represents Her Majesty in this Session of Parliament, hath had the Honour of that great Trust, as often, if not more than any *Scots* Man ever had ; he hath been the Favorite of two Successive Sovereigns ; and I cannot but commend his Constancy and Perseverance, that notwithstanding his former Difficulties and unsuccessful Attempts,
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and maugre some other Specialities, not yet determined, that his Grace has yet had the Resolution to undertake the most Unpopular measures last. If his Grace succeed in this Affair of an Union, and that it prove for the Happiness and Welfare of the Nation, then he justly merits to have a Statue of Gold erected for himself: But if it shall tend to the entire Destruction and Abolition of our Nation; and that we the Nation's Trustees shall go into it; then I must say, That a Whip and a Bell, a Cock, a Viper, and an Ape, are but too small Punishments for any such bold Unnatural Undertaking and Complaisance.

That I may path a Way, *My Lord*, to a full, calm, and free Reasoning upon this Affair, which is of the last Consequence unto this Nation; I shall mind this Honourable House, That We are the Successors of our Noble Predecessors, Who founded our Monarchy, framed our Laws, amended, altered, and corrected them from time to time, as the Affairs and Circumstances of the Nation did require, without Assistance or Advice of any Foreign Power or Potentate, and Who, during the time of 2000 Years, have handed them down to us, a Free Independent Nation, with the Hazard of their Lives and Fortunes: Shall We not then argue for That, which our Progenitors have purchased for us at so dear a Rate, and with so much Immortal Honour and Glory? GOD forbid. Shall the Hazard of a Father unbind the Ligaments of a Dumb Son's Tongue? And shall We hold our Peace when our *Patria* is in Danger? I speak this, *My Lord*, that I may encourage every individual Member of this House, to speak their Mind freely. There are many Wise and Prudent Men amongst us, who think it not

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Worth their While to open their Mouths ; there are Others, who can speak very well and to good purpose, who shelter themselves under the shameful Cloak of Silence, from a Fear of the Frowns of Great Men and Parties. I have observed, *My Lord*, by my Experience, the greatest Number of Speakers in the most Trivial Affairs ; and it will always prove so, while We come not to the right understanding of our Oath *de fidei*, whereby we are bound, not only to give our Vote, but our Faithful Advice in Parliament as We should *Answer to GOD* ; and in our Ancient Laws, the Representatives of the Honourable Barons, and the Royal Borrows, are termed Spokes-men : It lyes upon Your Lordship therefore, particularly to take Notice of such, whose Modesty makes them Bashful to speak. Therefore I shall leave it upon you, and conclude this Point, with a very Memorable Saying of an honest private Gentleman, to a Great *Queen*, upon the Occasion of a State Project, contrived by an able States-man, and the Favourite to a Great *King*, against a Peaceable Obedient People, because of the Diversity of their Laws and Constitutions. *If at this time thou hold thy Peace, Salvation shall come to the People from another Place, but thou and thy House shall perish*, I leave the Application to each particular Member of this House.

My Lord, I come now to consider our *Divisions*. We are under the Happy Reign (blessed be GOD) of the *Best of Queens*, Who has no evil Design against the *Meaneest* of her Subjects, Who loves all Her People, and is equally beloved by them again ; and yet that under the happy Influence of our most Excellent *Queen*, there should be such Divisions and Factions, more dangerous and threatening to her Dominions, than if we were under
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an Arbitrary Government, is most strange and unaccountable. Under an Arbitrary Prince, all are willing to Serve, because all are under a necessity to Obey, whether they will or not. He chooses therefore whom he will, without respect to either Parties or Factions; and if he think fit to take the Advices of his Councils or Parliaments, every Man speaks his Mind freely, and the Prince receives the faithful Advice of his People, without the mixture of Self-designs. If he proves a Good Prince, the Government is easy; if Bad, either Death or a Revolution brings Deliverance? Whereas here, *My Lord*, there appears no End of our Misery, if not prevented in time. Factions are now become Independent, and have got Footing in Councils, in Parliaments, in Treaties, in Armies, in Incorporations, in Families, among Kindred; yea Man and Wife are not free from their Political Jars.

It remains therefore, *My Lord*, that I inquire into the Nature of these Things; and since the Names give us not the Right Idea of the Things, I am afraid I will have Difficulty to make my self well understood.

The Names generally used to denote the Factions, are Whigg and TORY, as obscure as that of *Guelfs* and *Gibelins*: Yea, *My Lord*, they have different Significations, as they are applied to Factions in each Kingdom. A Whigg in *England* is a Heterogeneous Creature, in *Scotland* he is all of a Piece; a TORY in *England* is all of a Piece and a States-man, in *Scotland* he is quite otherways, an Anti-courteour and Anti-states-man.

A Whigg in *England*, appears to be somewhat like *Nebuchadnezzar's* Image of different Mettals, different Classes, different Principles, and different Designs, yet take them all together, they are like

a piece of fine mixed Drugget of different Threads, some Finer, some Courser, which after all make a comely Appearance, and an agreeable Suit. TORY is like a Piece of Loyal-made *English* Cloath, the true Staple of the Nation, all of a Thread: Yet if we look narrowly into it, we shall perceive Diversity of Colours, which according to the various Situations and Positions, makes various Appearances. Sometimes TORY is like the Moon in its Full, as appeared in the Affair of the *Bill of Occasional Conformity*; upon other Occasions it appears to be under a Cloud, and as if it were Eclipsed by a greater Body, as it did in the Design of the Calling over the Illustrious Princess *Sophia*. However by this we may see their Designs are to outshoot Whigg in his own Bow.

Whigg in *Scotland* is a True-blue-*Presbyterian*, who without considering Time or Power will *Venture their All for the Kirk*: But something less for the State. The greatest Difficulty is, how to describe a Scots TORY: Of old when I knew them first, TORY was an Honest-hearted Camaradish Fellow, Who, provided he were maintain'd and protected in his Benefices, Titles and Dignities, by the State, was the less anxious who had the Government and Management of the Church. But now what he is, since *Jure Divinitie* came in Fashion; and that Christianity, and, by Consequence, Salvation comes to depend upon Episcopal Ordination, I profess I know not what to make of him. Only this I must say for him, That he endeavours to do by Opposition, That which his Brother in *England* endeavours by a more prudent and less scrupulous Method.

Now, *My Lord*, from these Divisions there has got up a kind of *Aristocracy*, something like the Famous *Triumvirate* at *Rome*, they are a kind of Un-

Undertakers and Pregmatick States-men, who finding their Power and Strength great and answerable to their Designs, will make Bargains with our Gracious Sovereign; they will serve Her faithfully; but upon their own Terms: They must have their own Instruments, their own Measures; this Man must be turned out, and that Man put in, and then they'll make Her the most *Glorious Queen* in *Europe*.

Where will this end, *My Lord*? Is not Her Majesty in Danger by such a Method? Is not the Monarchy in Danger? Is not the Nation's Peace and Tranquillity in Danger? Will a Change of Parties make the Nation more happy? No. *My Lord*, The Seed is sown, that is like to afford us a perpetual Increate; it's not an Annual Herb, it takes deep Root, it Seeds and Breeds; and if not timously prevented by Her Majesty's Royal Endeavours, will split the whole Island in two.

My Lord, I think, considering our present Circumstances at this time, the Almighty GOD has reserved this great Work for us: We may bruise this *Hydra* of Division, and crush this *Cockatrice's* Egg. Our Neighbours in *England* are not yet fitted for any such Thing, they are not under the afflicting Hand of Providence, as we are: Their Circumstances are great and glorious, their Treaties are prudently managed both at Home and Abroad, their Generals Brave and Valorous, their Armies Successful and Victorious, their Trophies and Laurels Memorable and Surprising; their Enemies Subdued and Routed, their Strong Holds Besieged and Taken, Sieges relieved, Marshals killed and taken Prisoners; Provinces and Kingdoms are the results of their Victories; the Royal Navy is the Terror of *Europe*, their Trade and Commerce extended through the Universe, incircling the whole habitable World, and rendering their own Capital City

City the *Emporium* for the whole Inhabitants of the Earth; and which is yet more than all these things, the Subjects freely bestowing their Treasury upon their Sovereign; and above all, the vast Riches, the Sinews of War, and without which, all the glorious Success had proved Abortive, these Treasures are managed with such Faithfulness and Nicety, that they answer seasonably all their Demands, tho' at never so great a Distance. Upon these Considerations, *My Lord*, How hard and difficult a Thing will it prove, to perswade our Neighbours to a Self-denial Bill?

It's quite otherwise with us, *My Lord*, We are an obscure poor People, tho' formerly of better Account, removed to a remote Corner of the World, without Name, and without Alliances; our Posts mean and precarious: So that I profess, I don't think any one Post of the Kingdom worth the Briguing after, save that of being Commissioner to a long Session of a Factioned Scots Parliament, with an antedated Commission, and that yet renders the rest of the Ministers more miserable: What hinders us then, *My Lord*, to lay aside our Divisions, to unite Cordially, and heartily together in our present Circumstances, when, *our All is all at the Stakes? Hannibal, My Lord*, is at our Gates, *Hannibal* is come within our Gates, *Hannibal* is come the length of this Table, he is at the foot of this Throne, he will demolish this Throne; if we take not Notice he'll seize upon these *Regalia*, he'll take them as our *spolia opima*, and whip us out of this House never to return again.

For the Love of GOD then, *My Lord*, for the Safety and Welfare of our ancient Kingdom, whose sad Circumstances, I hope, we shall yet convert unto Prosperity and Happiness! We want no Means,

Means, if we Unite, *GOD bleſſeth the Peace-makers* ; We want neither Men nor Sufficiency of all manner of Things neceſſary, to make a Nation happy : All depends upon Management, *Concordia res parvæ creſcunt*. I fear not theſe Articles, tho' they were ten times worſe than they are ; if we once cordially forgive one another, and that according to our Proverb, *Pygones be bygones and fair Play to come*. For my Part, in the ſight of GOD, and in the preſence of this honourable Houſe, I heartily forgive every Man ; and beg, That they may do the ſame to me. And I do moſt humbly Propoſe, That His Grace *My Lord Commiſſioner* may appoint an *Agap*, may order a Love Feaſt for this honourable Houſe, that we lay aſide all ſelf deſigns ; and that after our Faſts and Humiliations we may have a Day of Rejoicing and Thankfulneſs, may eat our Meat with Gladneſs, and our Bread with a merry Heart : Then ſhall we *ſit each Man under his own Fig-tree*, and *the Voice of the Turtle ſhall be heard in our Land*, a Bird famous for Conſtancy and Fidelity.

My Lord, I ſhall make a Pauſe here, and ſtop going on further in my Diſcourſe till I ſee further, if His Grace *My Lord Commiſſioner* received any humble Propoſals, for removing Miſunderſtanding among us, and putting an End to our Fatal Diviſions ; upon Honour, I have no other Deſign, and I am Content to beg the Favour upon my bended Knees.

No Answer.

My Lord Chancellor, I am ſorry, that I muſt perſue the Thread of my Sad and Melancholy Story : what remains, I am afraid, prove as Afflicting as what I have ſaid ; I ſhall therefore Conſider the Motives, which have engaged the two Nations to
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enter upon a Treaty of Union at this time : In general, *My Lord*, I think both of them had in their View to better themselves by the Treaty; but before I enter upon the particular Motives of each Nation, I must inform this Honourable House, that since I can Remember, the two Nations have altered their Sentiments upon that Affair, even almost to downright Contradiction; they have chang'd Headbands, as we say; for *England*, till of late, never thought it Worth their Pains of Treating with us; the good Bargain they made at the Beginning, they resolve to keep, and that which We call an Incorporating Union, was not so much as in their Thoughts. The first Notice they seem'd to take of us, was in our Affair of *Caledonia*, when they had most effectually broke off that Design, in a manner very well known to the World, and unnecessary to be Repeated here. They keep themselves quiet, during the time of our Complaints upon that Head. In which time Our Sovereign, to satisfie the Nation, and alay their Heats, did Condescend to give us some Good Laws, and amongst others, that of Personal Liberties, and of Peace and War; but *England* having declared their Succession, and extended their Intail, without ever taking Notice of us, our Gracious Sovereign Queen ANN was Graciously pleas'd, to give Her Royal Assent to our *Act Security*, and to give us a Hedge to all our Sacred and Civil Interests, by declaring it High Treason, to endeavour the Alteration of them, as they were then Established. Thereupon did follow the Threatning and Minatory Laws against us by the Parliament of *England*, and the unjust and unequal Character of what Her Majesty had so Graciously Condescended to in Our Favours. Now, *My Lord*, Whether the Desire they had to have us engag'd in the same Succession with them :

Or

Or Whether that they found us like a Free and Independent People, Breathing after more Liberty, than what formerly was lookt after, or Whether they were afraid of our *Act of Security*, in case of Her Majesty's Decease: Which of all these Motives has induced them to a Treaty, I leave it to themselves: This I must say only, They have made a Good Bargain this time also.

For the particular Motives that induc'd us, I think, they are Obvious to be known; We found by sad Experience, that every Man hath advanced in Power and Riches, as they have done in Trade: And at the same time considering, That no where through the World Slaves are found to be Rich, though they should be Adorned with Chains of Gold; We thereupon changed our Notion of an Incorporating Union to that of a Fœderal One; and being resolv'd to take this Opportunity to make Demands upon them, before We enter into the Succession, We were content to Impower Her Majesty, to authorise and appoint Commissioners to Treat with the Commissioners of *England*, with as Ample Powers as the Lords Commissioners from *England* had from their Constituents; that We might not appear to have less Confidence in Her Majesty, nor more Narrow-hearted in our Act than our Neighbours of *England*. And thereupon last Parliament, after Her Majesty's Gracious Letter was Read, *Desiring us to Declare the Succession in the first place, and afterwards appoint Commissioners to Treat*: We found it necessary to Renew our former *Resolve*, which I shall Read to this Honourable House.

RESOLVE, Presented by the Duke of Hamilton last Session of Parliament.

“ That this Parliament will not proceed to the Nomination of a Successor, till we have had a previous Treaty with England, in Relation to our Commerce and other Concerns with that Nation. And further, it is Resolved, That this Parliament will proceed to make such Limitations and Conditions of Government, for the Rectification of our Constitution, as may secure the Liberty, Religion and Independency of this Kingdom, before they proceed to the said Nomination.

Now, My Lord, the last Session of Parliament having, before they would enter upon any Treaty with England, by a Vote of the House, past both an Act for Limitations, and an Act for Rectification of our Constitution. What Mortal Man has reason to doubt, the Design of this Treaty was only Federal?

My Lord Chancellor, It remains now, that we consider the Behaviour of the Lords Commissioners at the opening of this Treaty. And before I enter upon that; allow me to make this Meditation, That if our Posterity, after we are all dead and gone, shall find themselves under an Ill made Bargain and shall have a Recourse unto our Records, and see who have been the Managers of that Treaty, by which they have suffered so much; when they read the Names, they will certainly conclude and say, Ah! our Nation has been reduced to the last Extremity, at the time of this Treaty: all our great Chieftains, all our great Peers and considerable Men, who used formerly to defend the Rights and Liberties of the Nation, have been all Killed and Dead in the Bed of Honour, before ever the Nation was necessitate

necessitate to Condescend to such Mean and Contemp-
 rible Terms; Where are the Names of the Chief
 Men, of the Noble Families of *Stewarts, Hamiltons,*
Grahams, Campbels, Gordons, Johnstones, Humes,
Murrays, Kers, &c. Where are two Great Officers
 of the Crown, the *Constable*, and *Marshal* of *Scot-*
land? They have certainly all been Extinguished,
 and now We are Slaves for ever.

Whereas the *English* Records will make their
 Posterity reverence the Memory of the Honourable
 Names, who have brought under their Fierce,
 Warlike and Troublesome Neighbours, who had
 Struggled so long for Independency, shed the best
 Blood of their Nation, and reduced a considera-
 ble Part of their Country to become Waste and De-
 solate.

I am Informed, *My Lord*, That our Commis-
 sioners did indeed frankly tell the Lords Commissioners
 for *England*, That the Inclinations of the People
 of *Scotland*, were much altered of late, in relation
 to an Incorporating Union, and that therefore since
 the Intail was to end with Her Majesty's Life,
 whom GOD long preserve, it was proper to begin
 the Treaty upon the Foot of the Treaty the 1604
 year of GOD, the time when we came first under
 one Sovereign: but this the *English* Commissioners
 would not agree to, and our Commissioners, that
 they might not seem obstinate, were willing to
 Treat and Conclude in the Terms laid before this
 Honourable House, and subjected to their Deter-
 mination.

If the Lords Commissioners for *England* had been
 as Civil and Complaisant, they should certainly have
 finished a Fœderal Treaty likewise, that both Na-
 tions might have the Choice, which of them to have
 gone into as they thought fit; but they would
 hear of nothing but of an intire and Compleat Uni-

on, a Name which comprehends an Union, either by Incorporation, Surrender or Conquest; whereas our Commissioners thought of nothing but a fair, equal, Incorporating Union; whether this be so or no, I leave it to every Man's Judgement: but as for my self, I must beg Liberty to think it no such thing. For I take an Incorporating Union to be, where there is a Change both in the material and formal Points of Government, as if two Pieces of Metall were melted down into one Mass, it can neither be said to retain its former Form or Substance, as it did before the Mixture. But now when I consider this Treaty, as it hath been Explained and Spoke to before us these three Weeks by past, I see the *English* Constitution remaining firm, the same two Houses of Parliament, the same Taxes, the same Customs, the same Excises, the same Trade in Companies, the same Municipal Laws and Courts of Judicature, and all ours either subject to Regulations, or Annihilations: only we have the Honour to pay their old Debts, and to have some few Persons present for Witnesses to the Validity of the Deed, when they are pleased to contract more.

Good GOD,! What is this? An entire Surrender.

My Lord, I find my Heart so full of Grief and Indignation, that I must beg pardon not to finish the last part of my Discourse, that I may drop a Tear as the Prelude to so sad a Story.

After having sit down, and some Discourses by other Members interveening, he continued his Discourse, thus;

My Lord Chancellor, What I am now to say, relates to the Method of Proceeding in this Weighty Affair.
I hear

I hear it proposed by a Noble Member of the other side, That we should proceed in the Order, as the Lords Commissioners Treaters did. In my humble Opinion, *My Lord*, It is neither the natural Method, nor can it be done without great Confusion and Repetition. To say, You'll agree to the Union of the two Kingdoms before you agree in the Terms upon which they are to be United, seems like *driving the Plow before the Oxen*. The Articles, which narrate the Conditions, seem to be the Premises upon which the Conclusion is inferred; and according as they are, found good or bad, the Success will follow. When a Man is Married to a Fortune in *England*, as they call it, I suppose, he is satisfied with the thing before he determines himself to Marry; and the Proposal I have heard of Agreeing to the first Article with a *Proviso*, That if the rest of the Articles shall be found Satisfactory and no otherwise, is of a Piece with the rest, and looks like beating the Air, and no ways Consistent with fair and square Dealings. Besides, *My Lord*, if we were to go upon the first Article, Are not all the rest of the Articles, besides many others not contained in the Articles, valid Arguments either *Pro* or *Con*, against Concluding or not Concluding the first Article? And no Vote in this House can hinder a Man from making Use of what Arguments he thinks fit. Moreover the searching of the Records, and the Revising of the *Statute Books*, comparing the *Books of Rates, Customs, Excise and Taxes*, of both Nations, with one another, must all be previously considered, e'er We determine our selves in one single Article. Add to this, That the Prohibitory Clause with Relation to the Trade of both Nations must be adjusted, lest like *Esop's Dog* we lose the Old in grasping at the New; the State of the *English Companies* must also be Exposed,

sed, how far we shall have Liberty into them, and what Advantage we may propose to our selves by Trading to these Places where they are secured; and above all, *My Lord*, the Security of our National Church and of all that's dear unto us, must be previously Established to us if Practicable, before we Conclude the first Article. Therefore *My Lord*, tho' my particular Opinion be, tho' we had a *Cart blanche* from *England*; yet the Delivery up of our Sovereignty gives back with one hand, what we recieved with the other, and that there can be no Security without the Garanty of a Distinct Independency betwixt the Parties Treating: yet *My Lord*, for further Satisfaction to this Honourable House that every Member may fully satisfie himself, I humbly propose, That passing by the first three Articles, which appear to be much of a piece, *We begin at the fourth Article of the Treaty*; and if I be seconded in this, I desire it may be put to the Question.

The Lord Beilhaven's Second SPEECH in Parliament, the 15th Day of November 1706, on the Second Article of the Treaty.

MY LORD CHANCELLOR,

YOUR Lordship may remember the last Day, when we had under Consideration, whether to proceed to the Fourth or Second Article, that I did Witness my Concern and Resentment, to find so many Honourable and Worthy Members of this House, so forward to finish the Demands of *England*, in this Treaty; without taking notice of any one Article, that could be properly said to relate to the Demands of *Scotland*.

Now

Now, that we are entered upon the Second Article, I desire to be Resolved in one Question, What are the Motives that should engage us to take *England's* Successor upon their own Terms? Is it not strange, that no Answer should be given to this Question, save that, when, you come to consider the rest of the Articles, you shall be satisfied on that Demand? This is a New way of Arguing, *My Lord*, a Method without Precedent, Ranversing Nature, and looks more like design than fair dealing. I profess I think the Hudge and Prodigious Rains, that we have had of late, have either drowned out, or found out another Channel for Reasoning, than what was formerly; for by what I can see by this new Method, the agreeing to the first Article, shall be found a sufficient Reason why we should agree to the Second, and the agreeing to the Second for the Third, and so for all. If there was ever such a force Acted; if ever Reason was *Hudibras'd*, this is the time: Consult all the Treaties since the beginning of the World, to this Day, and if you can find any one Precedent, I shall yield the Cause.

I shall instance, *My Lord*, one for all, and that is the first and worst Treaty that ever was set on Foot for Mankind; and yet I am sorry to say it, there appears more Ingenuity in it, than in our Procedure. When the *Serpent* did deceive our Mother *Eve*, he propos'd Three Advantages, before he presum'd to advise her to eat the forbidden Fruit. The first was taken from the Sight, the Second from the Taste, and the Third from the Advantage following thereupon. That from the Sight, was enforced by a Behold how lovely and comely a thing it is, it's pleasant to the Eye. That from the Taste from a Perswasion that it was good for Nourishing, it's good for Food. That from the Advantage, it will
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make you Wise, *ye shall be as Gods*; therefore upon all these Considerations, allow me, *My Lord*, to run the Parallel of this, with Relation to our Procedure in this Treaty.

Upon the first Account that our Nation had of the Treaty's being finished betwixt the two Nations, People appeared all generally very well satisfied, as a thing that would tend to the removal of all Jealousies, and the settling a good understanding betwixt the two Kingdoms. But so soon as the Articles of the Treaty appeared in Print, the very sight of them, made such a Change, as is almost inconceivable, they were so far from being pleasant to the Eye, *My Lord*, that the Nation appears to abhor them.

One would think, *My Lord*, that it had been the Interest of those who are satisfied with the thing, to have gone immediately into the Merits of these particular Articles, which relate to *Scotland*, and to have said, *Gentlemen*, be not affrighted with their ugly shape, *they are better than they are bonny, come Taste, come make a narrow search and inquiry, they are good for Scotland, the wholesomest food that a decaying Nation can take. You shall find the Advantages, you shall find a change of Condition, you shall become Rich immediately; you shall be like the English, the most flourishing and Richest People of the Universe!*

But our Procedure, *My Lord*, hath been very far from the Prudence of the *Serpent*, for all our Arguments have run upon this blunt Topick, *Eat, Swallow down this Incorporate Union, tho' it please neither Eye nor Taste, it must go over: You must believe your Physicians, and we shall consider the Reasons for it afterwards.*

I wish, *My Lord*, That our Loss be not in some small manner Proportionable to that of our first
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Parents, they thought to have been Incorporate with the Gods : But in place of that, *they were justly expelled Paradise, lost their Sovereignty over the Creatures, and were forced to earn their Bread with the Sweat of their Brows.*

My Lord Chancellor, I have heard a Proposal, made from the other side by the Marquis of *Anandale*; that in place of agreeing to this Second Article, wherein the Succession is to be declared, as a Consequence of our being united to *England* in one Kingdom, we should immediately go to intail our Crown upon the Illustrious Family of *Hanover*, upon such Conditions and Limitations as are in our own Power to make, for the Security of our Sacred and Civil Concerns. I think, this is the Import of what his Lordship gave in by a Resolve formerly, and hath told this Honourable House, that he thinks he Acts consequentially to his former declared Principles, and that this is now the only Measure, which can settle and secure the Peace and Quiet of the Nation, and fix a firm Security for the Protestant Interest, and a perfect Understanding betwixt the two Nations.

I have also heard a Discourse by his Grace the Duke of *Hamilton*, shewing, that ever since his Grace had the Honour to be a Member of this Honourable House, he had made it his Business to serve the Sovereign, and his Nation Faithfully and Honestly, without any By-Ends, By-Views, or Self-Interest; that before the Affair of the Succession was Tabled in *Scotland*, he had endeavoured to promote the Interest of his Nation, by good Laws, and by the best Counsels he was capable to give, for Rectifying things amiss, and advancing the solid Interest of his Country; that since the Affair of the Succession came to be considered, he could never give himself the Liberty to Believe,

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but yet previous to any Settlement, We ought to have had such Condescensions with Relation to Trade and Commerce from *England*, as might Retrieve the Losses the Nation hath sustained from them, ever since the UNION of the two Crowns under one Sovereign; And that thereupon, to prevent all Faction and Party in the Treating of an Affair of such Importance, he had freely left the Nomination of the Lords Commissioners to Her Majesty; and wishes the Choice had been Answerable to his Design: But none can accuse him as Bargaining for himself, since he has no Reason to Complain of the Breach of any Stipulation upon that Head; that now having considered the Articles of this Treaty lying before us, and the fatal Consequences that may follow upon the finishing of an Incorporating UNION with *England*, with the general Averiation that appears by the Addresses from the several Shires of the Kingdom, and particularly from the Address of the Commission of the General Assembly, and of the Royal Burrows of *Scotland*; He finds it Necessary to alter his Thoughts of the Matter, that he was none of these who loved to keep things loose and in Confusion, he had an Estate in both Kingdoms, and therefore it was not to be supposed he would make use only of a Treaty to throw out the Succession one Time; and of the Succession to throw off the Treaty another Time.

Therefore to prevent worse Consequences, he is Content, that in this Parliament, the Succession be declared and settled upon the Illustrious Princess *Sophia* Electress of *Hanover*, and the Heirs of her Body, upon such Conditions and Limitations as shall be found Necessary by this Parliament, to Secure our Civil Rights and Liberties, the Independency and Sovereignty of the Nation, and the
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Presbyterian Government of this Church, as it is founded upon the Claim of Right, and Established by Law, and whose Priviledges and Settlement he Resolves to support with the utmost of his Power.

And therefore, his Grace thinks himself Obliged with all Humility in this present Juncture of Affairs, to Address himself particularly to his Grace My Lord Commissioner, and to beg of his Grace, that he would be pleased to acquaint Her Majesty with the true State of the Nation, and with the Proposal made for allaying the present Ferment, and settling a solid Peace and Good Understanding betwixt Her two Kingdoms, and that a small Recess may be granted in the mean time till Her Majesty's Gracious Answer come, which with all Submission he conceives will prevent these bad Consequences, that the further pushing on of this Treaty may occasion. I think, *My Lord*, this is materially what his Grace said, tho' not so fully nor so well expressed.

Now, *My Lord*, it remains, That I give account of my self and of my own Opinion of this Affair : All who know me, *My Lord*, know that I have been from the beginning on a Revolution-foot, I ventured my Life and Fortune with the first, and I have ever since acted consequentially to my Principle. It's true, I was never a good Courtier under any Reign ; because I had a Rule for my Obedience, and never made Obedience my Rule ; my Reputation was never stained, nor had I ever Reproach laid upon me, save when I was brought in Head over Ears, in a *Scots* Plot ; a Plot, very well known design'd to blast the Reputation of a Set of People, the best affected to the Sovereign, and to the true Interest of their Nation, that ever *Scotland* bred. What my Opinion was, with relation to the Succession,

cession, is very well known also, I look upon Limitations with another Eye, than some others were pleased to do. I was far from treating them in Ridicule; because, as all Human Affairs, are liable to Alterations, and might be taken off: That Argument proves too much, and consequently proves nothing at all. Should a Man refuse to have a good Estate settled upon him, because he may Squander it away and become Bankrupt? Must a good Law be refused because it may afterwards be repealed? No, *My Lord*, where the Power is lodged in our selves, We have all Human Security imaginable for the thing; it is not so where the Power is lodged in others: Therefore I shall always choose that Security which depends upon my self preferable to any other.

This, *My Lord*, hath confirmed me, that Limitations of our own making is the best Security; tho' I always thought them not the full, of what we merited, for the going into the *English* Succession; for considering the Injuries that we have received from them, We ought to have Reparations upon this Emergent: And I think without Incorporating with them, they might have given us some small Encouragement in our Trade with them, which would have been profitable to us, and no manner of way prejudicial unto them, as I can clearly demonstrate if there be occasion for it. But since this is not the proper Place nor Seasons for such Proposals, I shall go on with the Proposal made by the Marquiss of *Annandale*, and fortified by his Grace the Duke of *Hamilton*; because I think it is the best that We can make of it at this time, the fittest measure to prevent Civil Wars, to lay the Ferment of the Nation, and far preferable to this Incorporating Union, which as to us in all its Clauses appears to be most unreasonable.

F I N I S.